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Burley Tobacco Letter No. 1

Issued November 4, 1940.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
WASHINGTON, D. C.

BURLEY TOBACCO MARKETING QUOTA INFORMATION FOR
WAREHOUSEMEN AND DEALERS



Re: Purchases of tobacco from farmers by a warehouseman or dealer other than at a regular auction warehouse sale.

There is enclosed a copy of Form 40-Tob-57, Marketing Quota Regulations, Burley Tobacco - 1940-41 Marketing Year. Any Burley tobacco produced prior to 1940 but carried over into the 1940-41 marketing year is subject to these marketing quota regulations. Under the recent amendments, for any farm having excess tobacco available for marketing, a penalty will be collected in the amount of ten cents per pound on that percent of each lot of tobacco marketed from the farm which the acreage harvested in excess of the farm allotment is of the total harvested acreage.

It is contemplated that representatives of the Marketing Quota Section will meet with warehousemen prior to the opening of the markets to discuss the marketing quota regulations, records and reports. However, in order that proper records may be kept with respect to nonwarehouse purchases made before the official opening of the markets, Form 40-Tob-54, "Bill of Nonwarehouse Sale" will be printed and available within two weeks upon request to this office and a limited number of mimeographed copies of the form (sample copy attached) now are available upon request.

The outline below indicates the records needed for all tobacco purchased from farmers at any place other than a regular auction warehouse sale, and the way in which such records will be prepared and handled.

1. Bill of Nonwarehouse Sale (Form 40-Tob-54). Three copies to be prepared by buyer and signed by the buyer and farm operator. All copies to be retained by buyer until picked up by field assistant, in case of warehouseman, or delivered to field assistant by buyer, in case of dealer other than warehouseman; except that one copy will be delivered to county office if buyer has "Certificate of County Office" thereon executed in lieu of obtaining memorandum of sale as authorized below.

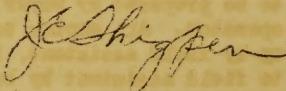
2. Memorandum of Sale. Buyer will obtain memorandum of sale to identify every lot of tobacco purchased directly from farmers, except that if the marketing card has not been delivered to the farm operator and the county office executes the "Certificate of County Office" on Form 40-Tob-54 before delivery of the marketing card, the buyer will not need to obtain memorandum of sale.

(a) Memorandum of sale from Within Quota Card (Form 40-Tob-50) may be issued by field assistant, buyer, or in cases specified below, the county office. If issued by field assistant or buyer the "county office copy" will be delivered to the field assistant, and the "purchaser's copy" to the buyer. County offices will issue memorandum of sale only if "Certificate of County Office" on Form 40-Tob-54 is executed at request of buyer or in case of mail order sales. In such cases the "purchaser's copy" of each memorandum of sale will be forwarded to the Marketing Quota Section and the "county office copy" will be retained in the county office files.

(b) Memorandum of sale from Excess Card (Form 40-Tob-29) to be issued by field assistant upon presentation of Bill of Nonwarehouse Sale (Form 40-Tob-54) and marketing card containing memorandum. "Purchaser's copy" of memorandum of sale will be retained by field assistant. County offices will issue memorandum of sale only in cases where "Certificate of County Office" is executed on Form 40-Tob-54, or in cases of mail order sales. In such cases the "Purchaser's copy" will be forwarded to the Marketing Quota Section and the "County office copy" will be retained in the county office files.

Any warehouseman receiving tobacco from farmers which is to be sold in the name of the farmer on the regular warehouse auction after the opening of the markets should handle it so that a memorandum of sale can be issued to identify the tobacco from each farm.

It will be appreciated if each warehouseman or dealer who receives a copy of this letter will bring it to the attention of any other dealer whom he thinks is or will be purchasing tobacco directly from farmers.



J. E. Thigpen,
Chief, Marketing Quota Section
East Central Division

U. S. Department of Agriculture
Agricultural Adjustment Administration

(County & Farm Serial No.)

BILL OF NONWAREHOUSE SALE
(For Marketings Other Than at Warehouse Sale)

Date _____

1. _____ (Name of farm operator) _____ (Address)

2. _____ (Name of dealer and Reg. No. & State) _____ (Name of person making purchase if other than name in which registration is shown)

3. Description of Tobacco, weight and price:
 (a) _____, or (b) \$ _____;
 (Weight estimated at farm) (Actual weight at scales on farm or other place) (Gross price)
 (c) _____ (Memorandum of Sale Serial No.)

4. Certificate of Buyer and Producer 1/

We, the undersigned buyer and producer, hereby certify that the information shown above is true and correct and that the amount of tobacco shown above has been or will be delivered by the farm operator to the buyer and that such tobacco was produced on the farm identified by the above farm serial number. The buyer further certifies that he understands that he is liable for any penalty determined to be due on this sale of tobacco.

2/ _____ (Signature of witness)

2/ _____ (Signature of farm operator)

2/ _____ (Signature of witness)

2/ _____ (Signature of buyer)

5. Certificate of County Office (Strike out inapplicable statement)
 This is to certify that a determination has been made with respect to the farm identified by the serial number shown above and,
 (a) such farm is entitled to receive a "Within Quota Marketing Card", or
 (b) such farm is entitled to receive an "Excess Marketing Card" showing
 % subject to penalty.

2/ _____ (Signature of County Office Representative) (Title)

6. Disposition of tobacco and weight (To be filled in by buyer):

(Place to which buyer moves tobacco) (Actual weight of tobacco if weight from farm) estimated at farm)

1/ Any false certification will be subject to the provisions of the U. S. Criminal Code and to the Criminal provisions of Section 373(a) of the Agricultural Adjustment Act of 1938, as amended.

2/ Witness cannot be farm operator or buyer.

